

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DAVID MARTIN HABER,

Plaintiff,

19 **CIVIL** 11105 (VEC)

-against-

JUDGMENT

CREDIT SESAME and CREDIT ONE BANK, N.A.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated January 19, 2021, this Court has ADOPTED the R&R in its entirety. Defendants' motions to dismiss are GRANTED. The Court declined to extend Plaintiff leave to amend his complaint. Because the R&R gave the parties adequate warning, see R&R at 11-12, Plaintiff's failure to file adequate and specific objections to the R&R precludes appellate review of this decision. See *Caidor v. Onondaga County*, 517 F.3d 601, 604 (2d Cir. 2008); *Mario*, 313 F.3d at 766. Further, the Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith and, therefore, in forma pauperis status is denied for purposes of an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a non-frivolous issue); accordingly, the case is closed.

Dated: New York, New York
January 19, 2021

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk